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Attorneys for Plaintiff  
Steven B. Barger

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

STEVEN B. BARGER, an individual

Plaintiff

v.

FIRST DATA CORPORATION et al.

Defendants.

**Case No. 1:17-cv-4869-FB-LB**

**(Assigned the Honorable Frederic Block)**

**NOTICE ERRATA TO PLAINTIFF'S REPLY  
IN SUPPORT OF RULE 72(a) OBJECTION**

**NOTICE OF ERRATA**

The Plaintiff Steven B. Barger respectfully submits this errata to his Reply in Support of 72(a) Opposition [ECF 74] (the "Opposition") to correct inadvertent clerical errors.

- 1) The first two sentences of footnote 10 of the Opposition stated:

On Friday, July 13, 2018, Plaintiff's counsel received an e-mail chain from Mr. Eidelman. This e-mail included the distribution of the drafted version of the Second Declaration for Ms. Voycheske's signature. See Exhibit A-2.

When in fact footnote 10 should have stated

Plaintiff's counsel received an e-mail chain from Mr. Eidelman. This e-mail included the distribution of the drafted version of the Second Declaration for Ms. Voycheske's signature on Friday, July 13, 2018. See Exhibit A-2.

2) The first sentence of footnote 11 stated:

The Opposition improperly states that Judge Bloom ruled that the entire topic of IT systems was ruled irrelevant at the June \_\_, 2018 hearing.

When in fact the footnote 11 should have stated:

The Opposition improperly states that Judge Bloom ruled that the entire topic of IT systems was ruled irrelevant at the June 12, 2018 hearing.

The Plaintiff is filing a corrected Reply that corrects these mistakes and makes no other changes.

DATED: October 4, 2018

Respectfully Submitted,

THE LAW OFFICE OF SHAWN SHEARER, P.C.

/s/ Shawn Shearer

SHAWN SHEARER

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Attorney for Plaintiff

Steven B. Barger

**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2018, I transmitted the attached Notice of Errata to the following CM/ECF registrants via e-mail to each of their CM/ECF registered e-mail addresses.

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